



PATENT
Attorney Docket No. 83315.0001
Customer No. 26021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jonathan Shneidman

Serial No.: 09/258,601

Filed: February 26, 1999

For: TELESCREEN OPERATING
METHOD

Art Unit: 2673

Examiner: Nitin Patel

Confirmation No.: 4087

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on
October 12, 2004

Date of Deposit

Kimberly Yee

Name
Signature *Kimberly Yee* 10/12/04
Signature Date

**STATEMENT IN SUPPORT OF PETITION UNDER
37 CFR 1.137(b) FOR REVIVAL OF
UNINTENTIONALLY ABANDONED PATENT
APPLICATION**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Ying Chen, am a member of the law firm of Hogan & Hartson L.L.P. ("Hogan & Hartson"). I make the following statement in support of the concurrently filed Petition under 37 CFR 1.137(b) for Revival of Unintentionally Abandoned Patent Application.

1. The inventor Mr. J. Shneidman was represented by attorneys at the law firm of Loeb & Loeb LLP ("Loeb & Loeb") at the time the instant application was filed on February 26, 1999. See Exh. A, copy of the Filing Receipt.

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2. Some of the attorneys named in the original Power of Attorney left the Loeb & Loeb firm and joined the law firm of Hogan & Hartson on or about April 1, 2000.

3. On or before November 15, 2000, Mr. Shneidman contacted me at Hogan & Hartson. Hogan & Hartson agreed to represent Mr. Shneidman in connection with the instant patent application. To my best recollection, Mr. Shneidman represented that he did not execute any revocation of power of attorney or new power of attorney.

4. A Restriction Requirement for the instant application was mailed by the U.S. Patent and Trademark Office ("the PTO") on October 19, 2001. See Exh. B.

5. On December 19, 2001, Hogan & Hartson timely filed a response to the Restriction Requirement with the PTO, which filing included the following papers. See Exh. C.

- (a) Response to Restriction Requirement and Preliminary Amendment;
- (b) Petition for Extension of Time (with authorization to charge Deposit Account for related fees);
- (c) Associate Power of Attorney and Change of Correspondence Address; and
- (d) Transmittal letter.

All of the above papers (a) – (d) were signed by Stuart Lubitz, Reg. No., 20,680, who was one of the attorneys at Loeb & Loeb and named in the original Power of Attorney. The Associate Power of Attorney and Change of Correspondence Address requested that this case be associated with the Hogan & Hartson law firm's customer number, 26021, and provided the correct address of the firm's Los Angeles office.

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6. The above papers were received by the PTO. See Exh. D, copy of stamped return postcard.

7. I filed a Status Request on September 20, 2002. See Exh. E. This paper was received by the PTO. See Exh. F, a copy of stamped return postcard.

8. The Los Angeles office of Hogan & Hartson did not receive any written communication from the PTO in response to the filing of the papers referenced in paragraphs 5 and 7 above.

9. I learned through Mr. Shneidman on or about May 24, 2004 that the application had become abandoned.

10. On or about June 21, 2004, I received copies of the cover page and the Office Action Summary page of the Office Action issued on April 19, 2002, and a copy of the Notice of Abandonment issued November 4, 2002, which were forwarded to me by Mr. Shneidman. The address shown on both the Office Action and the Notice of Abandonment is Loeb & Loeb LLP. See Exh. G. This was the first time I learned that an Office Action was issued on April 19, 2002 and that the abandonment was due to failure to respond to such Office Action.

11. On or about July 14, 2004, I received from Mr. Shneidman the original copy of the Office Action issued April 19, 2004. This was the first time I saw the entire content of the April 19, 2002 Office Action.

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I further declare that all statements made herein are of my own personal knowledge, are true and that all statements made on information and belief are believed to be true.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: October 12, 2004

By: 
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